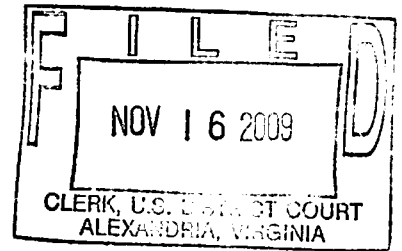


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



MASON DIXON FUNDING, INC.,

Plaintiff,

v.

COMMONWEALTH LAND TITLE
INSURANCE COMPANY,

Defendant.

1:09-cv-00760 (TSE/IDD)

ORDER

This matter is before the Court on Plaintiff's Motion for Default Judgment [12]. Plaintiff noticed the hearing on the motion for Friday, November 20, 2009. Because Plaintiff has not properly obtained an entry of default from the Clerk's office prior to requesting default judgment, it is hereby

ORDERED that Plaintiff's Motion for Default Judgment against Defendant, Commonwealth Land Title Insurance Company [12] is **DENIED** as premature; it is further

ORDERED that Plaintiff immediately obtain a default from the Clerk pursuant to Fed. R. Civ. P. 55(a); it is further

ORDERED that promptly after obtaining entry of default, Plaintiff file another Motion for Default Judgment and an accompanying memorandum setting forth the factual and legal bases for the Motion; and it is further

ORDERED that promptly after obtaining entry of default, Plaintiff file another Notice, setting the hearing of the Motion for Default Judgment for 10:00 a.m. on any Friday after November 27, 2009.

The Clerk is directed to remove the November 20, 2009 hearing from the calendar and to

forward copies of this Order to counsel of record.

ENTERED this 16th day of November, 2009.

Alexandria, Virginia

 /s/ _____
Ivan D. Davis
United States Magistrate Judge